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Counsel for Plaintiff and the Proposed Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ALASDAIR TURNER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

APPLE INC., a California corporation,

Defendant.

Claudia M. Vetesi (CA SBN 233485)
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APPLE INC.

Case No. 5:20-cv-07495-EJD

JOINT DISCOVERY STATUS REPORT

Judge: Hon. Nathanael Cousins
Dept: Courtroom 5 – 4th Floor
Date: July 16, 2025
Time: 11:00am

1 The parties submit this joint discovery status report ahead of their July 16, 2025 discovery
2 hearing. *See* Dkt. Nos. 344, 345.

3 **I. Contents of status report**

4 (a) 30(b)(6) Topic 6;

5 (b) Other potential dispute.

6 **II. 30(b)(6) Topic 6**

7 As detailed in their last status joint discovery status report, *see* Dkt. No. 343, Plaintiff agreed to
8 review a draft declaration provided by Apple describing communications between Apple and cellular
9 network carriers in the United States related to data usage attributed to Uninstalled Apps or System
10 Services in iOS 13—potentially in lieu of a 30(b)(6) deposition on the same topic.

11 Plaintiff requested that Apple provide its draft by July 3, so that Plaintiff will be able to take a
12 deposition before the July 18 close of fact discovery, should one be necessary. Apple originally
13 anticipated providing the declaration by early this week, but now anticipates providing the declaration
14 by Monday, July 14. Should this issue ripen into a dispute, the parties hope they will be able to resolve
15 it without the Court’s intervention. If not, Plaintiff anticipates asking the Court to order Apple to
16 designate a 30(b)(6) representative on topic 6 and make them available for a two-hour deposition prior
17 to the July 18 fact discovery deadline, or as soon as otherwise practicable.

18 **III. Other potential dispute**

19 Plaintiff’s Separate Statement:

20 Based on information Plaintiff recently obtained, Plaintiff plans to revisit with Apple a
21 discovery issue that is not yet ripe for the Court at the time of this filing. Plaintiff hopes to resolve the
22 issue without the Court’s involvement. However, given the close of fact discovery in one week, should
23 the parties fail to reach agreement, Plaintiff anticipates moving to compel on the matter by July 25,
24 pursuant to Civil Local Rule 37-3.

25 Apple’s Separate Statement:

26 Plaintiff first raised with Apple a “potential discovery issue” only 13 hours before the deadline
27 to submit this joint status report. Plaintiff has not provided Apple with any additional information
28

about this “issue”; in fact, when Apple asked Plaintiff for more information, Plaintiff’s counsel refused to do so. Apple does not agree that Plaintiff is entitled to raise any additional discovery disputes at this point in the case and further disputes that Plaintiff would be permitted to file a motion to compel after the close of fact discovery. Here, the Court entered a separate deadline by which Plaintiff was to bring any discovery motions, including any motions to compel. (See ECF No. 232.) That deadline (three weeks after the Court’s May 15 Orders resolving then-pending discovery dispute or June 5) has long since passed.

Dated: July 11, 2025

GIBBS MURA LLP

By: /s/ David M. Berger

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Dated: July 11, 2025

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Attorneys for Defendant
APPLE INC.

ATTESTATION

I, David M. Berger, attest that for all conformed signatures indicated by a “/s/,” the signatory has concurred in the filing of this document.

/s/ David M. Berger

David M. Berger